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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,646	03/11/2004	Sudhansu S. Yadav	11162-43762	6330

35973 7590 08/25/2005

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EXAMINER

HUYNH, LOUIS K

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,646

Applicant(s)

YADAV ET AL.

Examiner

Louis K. Huynh

Art Unit

3721

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 10-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/14/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-9, in the reply filed on 06/13/2005 is acknowledged.
2. Claims 10-26 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 06/13/2005.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Merry (US 5,524,531) in view of Hullhorst et al. (US 3,499,261).

With respect to Claim 1, Merry discloses a method of compressing non-woven garments including the steps of: filling a pressing cavity (14) with non-woven garments (20); applying a preselect pressure to the cavity using a pressing platen driven by a plunger (17); and removing the compressed garments from the pressing cavity (14). The method of Merry meets all of applicants claimed subject matter but lack the specific teaching of the step of wrapping the compressed garments. Hullhorst discloses a method of packaging compressed fibrous material including a step of placing a wrapping material (35) into a compressing cavity of a container (31), and a step of wrapping the compressed fibrous material in order to keep the fibrous material

in the compressed state (col. 4, lines 36-47). Furthermore, Merry suggests that the garments are compressed in order to save exterior packaging, shipping, handling, and warehouse costs (Abstract); and since packaging by wrapping for transportation and/or for storage is well known in the art; therefore, it would have been obvious to a skilled person in the art, at the time of the invention, to have modified the method of Merry by having provided a step of wrapping the compressed garments, as taught by Hullhorst, in order to keep the garments in the compressed state and to save costs in shipping, handling and warehouse space.

With respect to Claims 2 and 3, the method of Merry meets all of applicants claimed subject matter but lack the specific teaching of the step of applying a partial vacuum to the pressing cavity of a container (31). However, Hullhorst discloses a method of compressing fibrous material by applying vacuum to the pressing cavity via perforations (33) and plenum (32). Therefore, it would have been obvious to a skilled person in the art, at the time of the invention, to have modified the method of Merry by having further provided the step of applying vacuum to the pressing cavity, as taught by Hullhorst, in order to remove air trap between layers of the non-woven garments to further compress the non-woven garments which would further reduce the compressing time.

With respect to Claims 4 and 8, the method of Merry includes pressing the non-woven garments with a pressure in the range of 25-5,000 psi which includes the range of about 80 psi. Note that the specific mass of the garment would have been obvious as a matter of engineering design choice depending on the size of the compressing cavity.

With respect to Claims 5 and 6, the pressing cavity utilized in the method of Merry is substantially orthorhombic parallelepiped in shape.

With respect to Claim 7, the reference to Merry does not expressly disclose that the non-woven garments are formed of a spunbond/melt blown/melt blown/spunbond material; however, the claimed material is known to the artisan in manufacturing non-woven garments; therefore, it would have been obvious to a skilled person in the art, at the time of the invention, to have compressed non-woven garments made of spunbond/melt blown/melt blown/spunbond material.

With respect to Claim 9, the modified method of Merry meets all of applicants claimed subject matter but lack the specific teaching of the step of wrapping the compressed garments twice. However, wrapping a package twice is known in the art in order to finish the package for shipping and/or storage is well known in the art; therefore, it would have been obvious to a skilled person in the art, at the time of the invention, to have further modified the method of Merry by having provided the step of wrapping the compressed garments twice in order to complete the package for shipping and/or storage.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure has been cited on form PTO-892 along with the applied references.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is (571) 272-4462. The examiner can normally be reached on M-F from 9:30AM to 5:00PM.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Louis K. Huynh
Primary Examiner
Art Unit 3721

August 22, 2005